

BOARD OF COUNTY COMMISSIONERS

AGENDA ITEM SUMMARY

Meeting Date: August 18, 2004
Bulk Item: Yes X No

Division: Growth Management
Department: Planning

AGENDA ITEM WORDING: Approval for one Restrictive Covenant. from James and Barbara Jo Sharpe for a floor area intensity reduction on a property described as Lot 4, Block 2, Summerland Key Cove Addition 2 Summerland Key and having the Parcel Identification Number of 00190770.000000.

ITEM BACKGROUND: On April 28, 2004, the Planning Commission conducted a public hearing to review, discuss, and make formal motions regarding amended Year 12 annual allocation and the Non-Residential Floor Area Ranking Report; and P25-04 approved a floor area allocation of 348 square feet for Permit 03105136 for James and Barbara Jo Sharpe.

PREVIOUS RELEVANT BOARD ACTION: On July 18, 2001, the BOCC adopted Ordinance No. 032-2001, the NROGO Ordinance. The Board of County Commissioners approved floor area allocation for NROGO Year 12 at their meeting on November 19, 2003. On March 18, 2004, during a regular public meeting, the Board of County Commissioners, passed and adopted by Resolution an amendment to the Year 12 annual allocation that increased the available floor area to 16,000 square feet all of which is to be made available for applicants in a single allocation in January, 2004.

CONTRACT/AGREEMENT CHANGES: N/A.

STAFF RECOMMENDATION: Approval.

TOTAL COST: X

BUDGETED: Yes N/A No

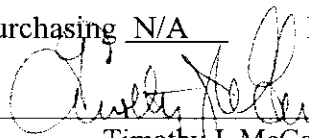
COST TO COUNTY: N/A

SOURCE OF FUNDS: N/A

REVENUE PRODUCING: Yes N/A No **AMOUNT PER MONTH** N/A **Year**

APPROVED BY: County Atty X OMB/Purchasing N/A Risk Management N/A

DIVISION DIRECTOR APPROVAL:



Timothy J. McGarry, AICP

DOCUMENTATION: Included X To Follow Not Required

DISPOSITION:

AGENDA ITEM # H15

M E M O R A N D U M

TO: Danny Kolhage, Clerk of the Court
FROM: Timothy J. McGarry, Growth Management Director 
DATE: July 29, 2004
RE: Clarification of Agenda Item

Restrictive Covenant

Permit Number	Name on Agenda Item	Name on Restrictive Covenant	Legal Description
03105136	James and Barbara Jo Sharpe	James and Barbara Jo Sharpe	Summerland Key Cove Addition 2, Lot 4, Block 2, Summerland Key

This instrument prepared by:

Whitney Meehan
26351 State Road 4
Ramrod Key, FL 33042

**INTENSITY REDUCTION RESTRICTIVE COVENANT
NON-RESIDENTIAL**

1. **WHEREAS** James E. & Barbara Jo Sharpe, the undersigned is the sole owner of the following described real property located in Monroe County, Florida, described as follows:

Lot: 4 Block: 2

Subdivision: Summerland Key Cove Addition 2

Key: Summerland Key

PB: 4-100

Real Estate Number: 00190770.000000; and

WHEREAS, an application for building permit # 0315136 for the construction of a commercial building on the above described parcel has been submitted to the Monroe County Building Department; and

WHEREAS, Suburban Commercial (SC) Land Use District allows the construction of office/storage; and

NOW, THEREFORE, the undersigned agree as follows:

- The above described non-residential structure is permitted as a commercial building, and upon completion of the structure and final approved inspections will receive a Certificate of Occupancy for a commercial office building; and

Page 1 of 2

- The floor area ratio of the property will be limited to a maximum of twenty-three percent (23%) for a period of ten (10) years; and
- The total size of the parcel is 6,000 square feet of which 3,200 square feet has been utilized for an employee housing dwelling unit; and
- That the proposed structure has a Floor Area Ratio of .12 percent. The proposed commercial floor area of 348 square feet to the remaining 2,800 square feet; and
- The restrictions herein shall be binding upon the representatives, heirs, assigns and successors in title of the undersigned; it being the intention of the undersigned by execution and recording of this document that his restriction shall run with the land and shall be forever binding upon the successors in title; and
- This covenant is intended to benefit and run in favor of the County of Monroe; and

In the event of any breach or violation of the covenant contained herein, the said County may enforce the covenant by injunction or such other legal method, as the County deems appropriate.

EXECUTED ON THIS 21ST day of May, 2004.

WITNESSES

Whitney Meehan
(Signature)

Whitney Meehan
(Print/Type Name)

Rudy Krause
(Signature)

Rudy Krause
(Print/Type Name)

OWNER OR OWNERS

James E. Sharpe
(Signature)

James E. Sharpe
(Print/Type Name)

Barbara Jo Sharpe
(Signature)

Barbara Jo Sharpe
(Print/Type Name)

Sworn before me this 21ST day of May, 2004.

Whitney Meehan
Notary Public (Print Name)

